

## **RULE 1**

### **LEAVES OF ABSENCE**

#### **SECTION 1. AUTHORIZATION, PURPOSES, AND CONDITIONS:**

- 1.1 Leaves of absence may be made by the appointing authority and shall be made when required by law or these rules, to employees working in the classified service, provided all such leaves shall be granted and used in accordance with the provisions and subject to the purposes and conditions as hereinafter provided.
- 1.2 All said leaves shall be issued in writing and shall set forth the effective dates and purposes thereof. A signed copy of each such leave shall be furnished the board within fifteen (15) days of its effective date by a person having legal authority to grant and sign such leaves; provided, however, this shall not apply to rule 4.2.
- 1.3 The right to regulate the time at which any employee may take an annual leave, or any other which is not beyond the control of the employee, shall be vested at all times with the appointing authority. (Sec. 25, Act 102 of 1944).
- 1.4 No leave shall be granted to or used by an employee in the classified service for the purpose of such employee engaging himself in other employment during his regularly assigned working hours. Any change of hours made for the purpose of evading this provision shall be considered a violation thereof.
- 1.5 The board expressly reserves the right to investigate and set aside any leave granted or used contrary to the provisions and purposes of these rules or to take any other action it deems necessary or proper under the authority and provisions of Act 102 of 1944.

#### **SECTION 2. VACATION LEAVE:**

- 2.1(a) Each employee in the police department shall receive vacation as follows: Employees with one (1) to three (3) years of service shall receive fifteen (15) days paid vacation per year. After completion of three (3) years of service, each employee will receive eighteen (18) days paid vacation per annum with one (1) additional day of paid vacation per year of employment thereafter for a total of, but not exceeding, thirty (30) days paid vacation per year. The number of vacation days an employee is entitled to will include only actual working days. Regular days off that occur during the vacation period will not be counted as vacation time. Each employee shall have the option of taking his vacation one day at a time or all at one

time, with the approval of his supervisor. Those employees having the greatest seniority shall have first choice of their vacation date; if they have not chosen a specific date in a prescribed time, then it shall be first come, first served basis.

2.1(b) Each employee in the fire department shall receive vacations as follows: Employees with one (1) to three (3) years of service shall receive five (5) shifts paid vacation per year. Employees who have completed three (3) years of service shall receive six (6) shifts paid vacation per year. Employees who have completed six (6) years of service shall receive seven (7) shifts paid vacation per year. Employees who have completed nine (9) years of service shall receive eight (8) shifts paid vacation per year. Employees who have completed twelve (12) years of service shall receive nine (9) shifts paid vacation per year. Employees who have completed fifteen (15) years of service shall receive ten (10) shifts paid vacation per year. If your anniversary date falls within the calendar year, after one (1) full year of service, this year shall count in computing vacation time. If an employee wants to split vacation, they shall take five (5) shifts at the beginning and the remainder after all others have scheduled their vacation. A shift shall be twenty-four (24) working hours--the split shift on Tuesday and Wednesday shall be one half ( ) shift. A person shall not be entitled to any more working days/shifts off than under the previous provision.

2.2 Any regular employee whose employment relations are terminated after the first twelve (12) months of any calendar year shall be given the full fifteen (15) days vacation leave. Any such employee whose services are terminated before the expiration of the first six (6) months of any respective calendar year shall not be given vacation leave for that year. Each such employee, whether his employment relations are terminated during the first or last half of a respective calendar year shall be given all vacation leave accrued and unused, if any, for the year preceding termination. If said relations are terminated because of the death of such employee the amount of said leave shall be paid to the employee's wife, if married, if not, to his estate.

### SECTION 3. SICK LEAVE:

3.1 Each employee regularly and permanently employed in the Classified Service shall be entitled to not less than fifty-two weeks of sick leave with pay in

compliance with Act 481 of 1948. Sick leave shall be granted any employee because of his own illness or actual incapacitation or because of his being exposed to contagious disease under circumstances in which the health of employees with whom he associates or members of the public necessarily dealt with might be endangered by his attendance on duty, on written advice of a physician that such leave be granted. The request shall be submitted to the chief of the department and said request then be forwarded to the Civil Service Board for consideration.

- 3.2 Before an employee on sick leave returns to work the appointing authority shall inquire into the recovery of the employee from his sickness or other incapacity and in this connection may require reports or statements from the employee's attending physician, and/or have the employee examined by a physician designated by the appointing authority. Nature of illness shall be filled in on Duty Release Form.
- 3.3 Nothing herein is intended to limit the appointing authority's continuing right at any time and from time to time to have an employee examined by a physician designated by the appointing authority, whenever the appointing authority determines such procedure may be in the public or departmental interest.
- 3.4 An employee shall report his absence and nature of illness to his/her supervisor prior to the beginning of the shift from which he will be absent.

This rule to become effective 10-11-78.

SECTION 4. SPECIAL LEAVE WITH PAY, WITHOUT PAY, OR WITH REDUCED PAY:

- 4.1 An appointing authority may, upon written request of any regular employee, and with the prior approval of the board, grant such employee a special leave of absence for a period not to exceed eighteen (18) months whenever such leave may be granted with or without pay, or with reduced pay, as the circumstances may warrant, only with the written approval of the board. Where any employee does not return to work at the expiration of such leave, he shall be considered as having resigned his position.
- 4.2 Special leave with pay shall be granted by the appointing authority to regular employees for the purpose of attending city, district, state, national, or international meetings of employees' occupational organizations. Under no circumstances shall such

leaves be granted to more than ten (10) members of each department at a given time, and such leaves shall be limited to thirty (30) days.

#### SECTION 5. MILITARY LEAVE

- 5.1 All employees under the jurisdiction of this Board shall always be granted such leave for military purposes and related rights as the City may be required to grant as a matter of law under all applicable local, state and federal laws regarding military service.
- 5.2 In addition to such time off as may be required by law to be granted for military duty, the appointing authority is authorized at his discretion to grant such additional military leave as particular employees may reasonably request and as the appointing authority may determine to be possible without unduly diminishing the ability of the department concerned to provide the adequate protection for the people and property of the City.
- 5.3 Employees in recognized military services are entitled to leave of absence from their respective duties with the City without loss of pay, time, annual leave, or efficiency rating, whenever and to the extent that they are required by law to spend and do in fact spend the time on duty with troops or at a field exercise, or for instruction, for periods not to exceed ten (10) working days in any one calendar year, and when relieved from duty they are to be restored to the positions held by them when ordered to duty, all to the extent and in the manner required by Act 349 of 1938 of the Louisiana Legislature.
- 5.4 Except as may be otherwise now or hereafter required by law, after an employee has been reimbursed for the maximum ten (10) working days of lost time in any one calendar year under the preceding paragraph, all additional time off on military leave of whatever duration during the remainder of that calendar year shall be without pay.
- 5.5 In implementing these military leave rules:
  - (a) An employee may, with the prior approval of the appointing authority, charge any military leave time for which he/she would not otherwise be entitled to pay hereunder against vacation time or holiday time, if any, that he/she may then have remaining in that calendar year; and

- (b) An employee may, with the prior approval of the appointing authority, exchange work assignments with another employee qualified to do his/her work, in order to avoid missing time from work in order to meet military duty requirements so long as the change of work assignment does not cause either employee's work week to exceed forty hours.
- (c) The work "day" means a normal shift and an employee regularly scheduled to work around the clock twenty-four (24) hours a day (for example, a firefighter) shall be allowed to take a maximum of five (5) twenty-four (24) hour work shifts for each calendar year with pay.

This rule to become effective 01-01-79.

#### SECTION 6. LEAVE WITHOUT AUTHORITY

- 6.1 The absence of any employee, without first obtaining a written leave in accordance with these rules, may be covered by an authorized leave upon the return of such employee, provided the conditions of his absence warrant such action; if not, disciplinary action may be taken against any such employee for the infraction of these rules. If subsequent leave is not granted, and disciplinary action is not taken, the appointing authority shall immediately report the matter to the board.

#### SECTION 7: FAMILY MEDICAL LEAVE

Each full-time employee of the classified service after having served one (1) year, shall be entitled up to twelve (12) weeks of unpaid leave, without credit for departmental seniority when appropriate documentation is supplied to the Appointing Authority for those reasons provided by Public Law 103-3 (Family and Medical Leave Act of 1993).

An employee will be required to first exhaust any or all compensatory time and any or all accumulated leave time before being granted unpaid leave without seniority.

### **RULE 2**

#### **HEARING PROCEDURE RULE**

SECTION 1. PURPOSE:

These rules are promulgated to provide a method of procedure in matters before the board.

SECTION 2. PETITION:

- (a) Requests for action by the board of any kind (herein called "petitions") must be in writing and filed with the secretary of the board within the time permitted by law.
- (b) The form of the petition shall include the following:
  - (1) Petitioner's name, address, and telephone number.
  - (2) Petitioner's classification and job, if petitioner is a classified employee.
  - (3) The facts complained of or relied upon.
  - (4) What the board is requested to do.
  - (5) A reference to the statutory provision or other authority relied upon for relief, if the petitioner has this knowledge.
  - (6) The petition may also include any other information of which the petitioner has knowledge which would help the board understand what action petitioner wants the board to take and petitioner's reasons therefor.
- (c) The board prefers that all documents filed with it be on letter size paper and typewritten. However, if this is a burden on any employee, the board will accept his petition in longhand.
- (d) All filings should be made with the secretary of the board.
- (e) The petition shall be presented to the board in six (6) copies.

SECTION 3. PREHEARING PROCEDURE:

- (a) Upon receipt of a petition the secretary of the board shall note thereon the date and hour of its receipt and shall promptly distribute copies to each of the board members and to the appointing authority.
- (b) If a petition is not filed within the time fixed by law, the board will not consider it.
- (c) The appointing authority may file an answer to the petition. If an answer is filed, it should be filed with the secretary of the board at least seventy-two (72) hours prior to the date of the hearing. The appointing authority shall mail a copy of its answer, if any, to the petitioner or his attorney.

- (d) If in order, the board will set the matter for hearing as required by law and advise the petitioner and the appointing authority at least 10 days in advance of the date, time, and place therefor. Upon request, the secretary of the board will give this information to any classified employee and will permit any classified employee to read the petition and answer at a mutually convenient time.
- (e) As a general rule, testimony at board hearings is not transcribed. Accordingly, if either the petitioner or the appointing authority desire to make the necessary arrangements to have the testimony taken and transcribed at their own expense, notice of such fact must be given to the board at least 5 days prior to the date set for the hearing in order that the board may name an official reporter for the hearing.
- (f) Petitioning employees are requested not to contact board members individually, either before or after the hearing, except in unusual circumstances. However, this is not meant to prevent a petitioning employee's discussing the matter at any time with his service representative on the board for any purpose whatsoever.
- (g) If petitioner will be represented at the hearing by an attorney, he is requested to notify the secretary of the board of that fact as soon as possible, preferably at least 3 days before the hearing. Upon receipt of such information, the secretary shall so advise the board members and the appointing authority.
- (h) Any other employee who will be adversely affected by a decision of the board either for or against the petitioner may request permission to intervene and participate in the proceeding or to appear and state his position. If possible such requests should comply with the requirements set out in Section 2 above insofar as they are applicable, and should be filed at least 3 days before the date fixed for the hearing, but the board reserves the right to hear anyone who wants to be heard at the hearing. The allowance of a particular intervention shall rest in the board's discretion exercised in good faith. Any employee who does not make known or attempt to make known his position at the hearing may be considered to have waived his right to complain later about the board's decision and the consequences thereof as they may affect him.

#### SECTION 4. HEARING PROCEDURE:

- (a) The appearances of all parties (petitioner, interveners, appointing authority) and their respective attorneys, if any, shall be noted for the record.

- (b) All persons who will offer testimony or make statements of fact during the hearing shall be duly sworn.
- (c) Insofar as practicable the parties will proceed in the following order, except as the board may otherwise direct:
  - (1) Appointing authority
  - (2) Petitioner
  - (3) Interveners
  - (4) Appointing authority in rebuttal.
- (d) Documentary evidence shall be appropriately marked for identification by the secretary of the board, or some other person designated for the purpose by the presiding officer.
- (e) At the conclusion of the hearing, the board may, in its discretion, hear oral argument, imposing such time limits as it deems appropriate. If the proceedings are being transcribed by an official reporter, the oral argument shall be transcribed and bound with the transcript of testimony.
- (f) The board may permit or require the filing of briefs, in which event, unless otherwise ordered by the board, briefs shall be filed with the secretary of the board by all parties simultaneously on or before the 7th day following conclusion of the hearing. Briefs should contain:
  - (1) A concise statement of the case;
  - (2) A summary of the evidence relied upon;
  - (3) A clear statement of the relief sought, with the reasons and authorities therefor;
  - (4) If desired, proposed findings of fact; and
  - (5) If desired, a proposed form of order.

Unless otherwise indicated at the hearing, the board will then proceed to decide the matter without waiting for reply briefs, although the board will consider any reply briefs which are received by it in time to assist in its decision.

#### SECTION 5. DECISION:

- (a) The board will decide matters heard by it as required by law.
- (b) The chairman of the board shall file written findings of fact and reasons for his decision with the secretary of the board and any member of the board may file concurring or dissenting findings.
- (c) A copy of the document evidencing the action taken by the board on a particular matter heard by the board will be delivered or mailed by the board to the appointing authority, to the petitioner in the particular matter, and



to such other classified employees as have been permitted to enter an appearance in the matter under Subsection 3(h) of these rules. The board may, in its discretion, send additional copies to other persons formally requesting same at the hearing.

#### SECTION 6. MOTIONS:

Any party interested in the proceedings may at any time prior to the last day for the filing of briefs file any motions relative to the proceedings and such motions may be acted upon by the board at the time they are presented or may be taken under advisement and acted upon at the time the board renders its decision.

### **RULE 3**

#### **POLICE DEPARTMENT ONLY**

#### SECTION 1. COMPUTING EDUCATIONAL REQUIREMENTS:

- 1.1 For the purposes of computing the educational requirements of the various classifications of the police department, the following guide shall be used:

One (1) college credit hour to equal one (1) unit of law enforcement training.

Twelve (12) hours of approved formal law enforcement training to equal one (1) unit hour of training.

- 1.2 Formal law enforcement training as defined by the Bossier City Municipal Fire and Police Civil Service Board:

Any law enforcement training class an employee attends and completes, with or without testing, will be considered formal law enforcement training and will qualify for the educational conversion formula.

BC	06-05-51	01-05-94
Rev	10-18-73	03-30-94
	11-12-73	07-01-99
	04-15-74	01-18-01
	09-11-78	05-17-01
	04-21-80	04-11-02
	03-05-81	11-14-02
	07-12-83	
	09-03-92	
	09-29-93	